

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CASE NO. 04 11539 JLT

**WALTER STICKLE, ANTHONY
CALIENDO, JOHN PITINGOLO and
DANIEL FISHER,**
Plaintiffs

v.

ARTHUR ORFANOS,
Defendant

**NOTICE OF TAKING DEPOSITION
PURSUANT TO FED. R. CIV. P.
RULE 30(b)(6)**

TO: Arthur Orfanos
54 Egerton Rd.
Arlington, MA 02474

Dunn & Goudreau
Court Reporting Service, Inc.
One State St., Suite 1150
Boston, MA 02109

Please take notice that on a date and time to be later determined at the offices of Clark, Hunt & Embry, 55 Cambridge Parkway, Cambridge, MA 02142, attorney for the plaintiffs, Michael B. Newman, pursuant to Fed. R. Civ. P. Rule 30(b)(6), will take the testimony upon oral examination of Theos and Sons, Inc. before a Notary Public in and for the Commonwealth of Massachusetts or before some other officer authorized by law to administer oaths. The oral examination will continue from day to day until completed.

Theos and Sons, Inc. is to designate one or more directors, officers, managing agents or other persons with "the most knowledge" of the items listed in the attached Schedule A. The deponent is further required to bring the documents listed in the attached Schedule B.

You are invited to attend and cross-examine.

Respectfully submitted,

CLARK, HUNT & EMBRY

Michael B. Newman
B.B.O. No. 632222
55 Cambridge Parkway
Cambridge, MA 02142
(617) 494-1920

SCHEDULE A

1. The ownership, transfer, or sale of the stock of Theos and Sons, Inc., including, but not limited to, any stock owned, transferred, or sold by Arthur Orfanos.
2. Any and all employment of Arthur Orfanos by Theos and Sons, Inc. during the time period of 2004 through the present.
3. Any and all services provided by Arthur Orfanos to Theos and Sons, Inc. as an officer or director of the corporation, during the time period of 2004 through the present.
4. Any and all services provided by Arthur Orfanos to Theos and Sons, Inc., in any capacity or form during the time period of 2004 through the present.
5. Any and all salary, income, or any other assets provided by Theos and Sons, Inc. to Arthur Orfanos during the time period of 2004 through the present.
6. The current financial status and value of Theos and Sons, Inc.
7. The tax returns and other tax filings of Theos and Sons, Inc. during the time period of 2004 through the present.

SCHEDULE B

1. Any and all records relating to the ownership, transfer, or sale of the stock of Theos and Sons, Inc., including, but not limited to, any stock owned, transferred, or sold by Arthur Orfanos.
2. Any and all records relating to any employment of Arthur Orfanos by Theos and Sons, Inc. during the time period of 2004 through the present.
3. Any and all records relating to any services provided by Arthur Orfanos to Theos and Sons, Inc. as an officer or director of the corporation, during the time period of 2004 through the present.
4. Any and all records relating to any services provided by Arthur Orfanos to Theos and Sons, Inc., in any capacity or form during the time period of 2004 through the present.
5. Any and all documents relating in any way to any salary, income, or any other assets provided by Theos and Sons, Inc. to Arthur Orfanos during the time period of 2004 through the present.
6. Any and all documents demonstrating or relating in any way to the current financial status and value of Theos and Sons, Inc.
7. Copies of any and all tax returns and other tax filings of Theos and Sons, Inc. during the time period of 2004 through the present.